

REMARKS

The last Office Action of August 8, 2005 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 2-9 and 13-21 are pending in the application. Claims 2-12 have been cancelled. Claims 13 has been amended. New claims 22-31 have been added. A total of 13 claims is now on file. No fee is due.

Claim 9 stands rejected under 35 U.S.C. §112. first paragraph as not being supported by the disclosure.

Claims 9, 13 and 14 stands rejected under 35 U.S.C. §112. second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,089,055 (hereinafter: "Nakamura").

Claims 2-8, 15-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura in view of U.S. Patent No. 4,832,755 (hereinafter: "Barton").

Claims 2, 3, 5-9, 15, 16 and 18-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakamura in view of U.S. Patent No. 4,389,085 (hereinafter: "Mori").

Claims 4 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mori as applied to claims 2, 3, 5-9, 15, 16 and 18-21 and further in view of U.S. Patent No. 4,805,984 (hereinafter: "Cobb").

OBJECTION TO THE SPECIFICATION

Applicant made the correction pointed out by the Examiner to be on page 11 of the specification at line 2, exchanging the word "is" for the word "be". Furthermore, applicant has submitted a clean paragraph [0045] as requested by the Examiner.

REJECTION OF CLAIM 9 UNDER 35 U.S.C. §112, FIRST PARAGRAPH

Currently claim 9 has been cancelled rendering the rejection moot.

Withdrawal of the rejection of claim 9 under 35 U.S.C. §112, first paragraph is thus respectfully requested.

REJECTION OF CLAIM 9, 13, 14 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Currently claim 9 has been cancelled rendering the rejection moot. With respect to claim 13, applicant has changed the phrase "the pillow" to "each pillow"

as proposed by the Examiner. Since claim 14 depends from claim 13, the rejections hereof have become moot.

Withdrawal of the rejection of claims 9, 13 and 14 under 35 U.S.C. §112, second paragraph is thus respectfully requested.

REJECTION OF CLAIMS 15-21 UNDER 35 U.S.C. §102(b) AS BEING UNPATENTABLE OVER NAKAMURA

Currently claims 15-21 are cancelled whereby the rejection thereof has become moot.

Withdrawal of the rejection of claims 15-21 under 35 U.S.C. §102 (b), is thus respectfully requested.

REJECTION OF CLAIMS 2-8 AND 15-21 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER NAKAMURA IN VIEW OF BARTON

Currently claims 2-8 and 15-21 have been cancelled whereby the rejection thereof has become moot.

Withdrawal of the rejection of claims 2-8 and 15-21 under 35 U.S.C. §103(a) is thus respectfully requested.

REJECTION OF CLAIMS 2, 3, 5-9, 15, 16 AND 18-21 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER MORI

Currently claims 2, 3, 5-9, 15, 16 and 18-21 have been cancelled whereby the rejection thereof has become moot.

Withdrawal of the rejection of claims 2, 3, 5-9, 15, 16 and 18-21 under 35 U.S.C. §103(a) is thus respectfully requested.

REJECTION OF CLAIMS 4 AND 7 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER MORI IN VIEW OF COBB

Currently claims 4 and 7 have been cancelled whereby the rejection thereof has become moot.

Withdrawal of the rejection of claims 4 and 7 under 35 U.S.C. §103(a) is thus respectfully requested.

FURTHER CITED PRIOR ART

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the newly submitted claims. It is thus felt that no specific discussion thereof is necessary.

CONCLUSION

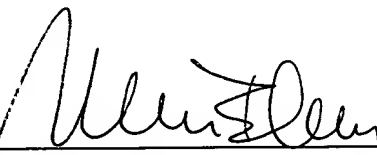
In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted,

By: 
Ursula B. Day
Attorney For Applicant
Reg. No: 47,296

Date: February 7, 2006
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212)244-5500
UBD:ub